

DISTRICT COURT
SHERIFFS OFFICE
MASSACHUSETTS

1st. Circuit

ERIC KELLEY

V.

SHERIFF DIPOALA et al.

04-11192
NMG
FILED IN
CLERKS OFFICE
2005 FEB -3 P 12:29
PLAINTIFFS MOTION FOR
AN ORDER TO BE PROVIDED
WITH DISCOVERY
DISTRICT COURT
OF MASS

Now Comes, The palintiff and respectfully requests that Lt. Governor Healy furnish plaintiff with any and all documentation about the conditions of the Cambridge Jail and Billerica House of Correction.

Plaintiff requests all Board of Health investigative, inspection documents.

These requests are not (standard discovery) but rather public documents that the parties refuse to furnish. (the Board of Health is named defendants, who were dropped by the court for Respondeat Superior).

In support is a viable exhibit (A).

Respectfully;

Eric Kelley

CERTIFICATE OF SERVICE:

Accompanied with this motion was a letter of good faith to the defendants lawyer (Seriff) sent on; 2/1/05 by regular mail. (witnessed and logged by the legal Dept.)

Signed;

Eric Kelley

Also, see discovery (governor's tour & findings of the jail)

EXHIBIT

A

Gov spanks Middlesex sheriff for snub

By ANN E. DONLAN
and KIMBERLY ATKINS

Dirty jails and phone calls from the governor that went unanswered added up to zero extra cash for Middlesex Sheriff James V. DiPaola in Gov. Mitt Romney's budget.

DiPaola, a former Democratic state representative, was the only sheriff to have his \$49.54 million budget level-funded by Romney.

That means he will get the same amount and not a nickel more next year unless lawmakers bail him out.

Other sheriffs got the governor's approval for a 2.1 percent budget hike.

Lt. Gov. Kerry Healey said she toured the Middlesex House of Correction and had "some concerns about hygiene and safety for the prisoners," but DiPaola showed an "unwillingness" to discuss the issue.

Romney said, "I have found the sheriff's office there to be unresponsive, and therefore we have not given them the same increase that we have given the other sheriffs."

DiPaola ~~did not~~ ^{did not} return a call for comment.